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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/626,967	07/27/2000	Ayahito Kojima	1081.1093/JDH	1013
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21171 7590 02/28/2003

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WASHINGTON, DC 20001

EXAMINER

ALPHONSE, FRITZ

ART UNIT

PAPER NUMBER

2675

DATE MAILED: 02/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
**09/626,967**

Applicant(s)  
**Kojima et al.**

Examiner  
**Fritz Alphonse**

Art Unit  
**2675**



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Dec 23, 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 7 6) ☐ Other:

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Otawara (JP 11146306 A).

As to claim 1, Otawara (figs. 1, 2) teaches about a plasma display apparatus, which represents the luminance of one frame (i.e., field) in accordance with a combination of sub-frames (i.e. sub-field) having predetermined luminance levels, comprises: a data converter (note the A/D converter 1) for converting input video data (S1) into output data in which the ON/OFF states of the sub-frames are specified; wherein the sub-frames include a smaller luminance sub-frame having a luminance level

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which is lower than the minimum gray scale level of luminance (note in Otawara the subfield is  $\frac{1}{2}$  of a subfield corresponding to the LSB of a video signal) which can be represented by the number of bits in the input video data (page 2, lines 17-24).

As to claims 2-3, Otawara (fig. 1) discloses a plasma display apparatus, wherein the data converter has a plurality of conversion characteristics, and a desired conversion characteristic is selected in accordance with a mode set signal to select said plurality of conversion characteristics, and wherein said input video data are supplied in accordance with a plurality of primary colors, and said conversion characteristics of said data converter are selectively determined for each of said primary colors (page 3, lines 15 to page 4, line 3).

As to claim 4, Otawara (fig. 1) discloses a plasma display apparatus, wherein the data converter (1) has a conversion characteristics in which an increase rate of the luminance of said output data in a first gray scale area for said input video data, differs from an increase rate of said luminance of said output data in a second gray scale area, whose luminance is higher than said first gray scale area (see page 4, lines 5-26).

As claim 5, Otawara (fig. 1) shows a data converter used with a plasma display apparatus which represents the luminance of one frame (i.e., field) in accordance with a combination of sub-frames (i.e. sub-field) having predetermined luminance levels, wherein video input data (S1) are converted into output data, and wherein the sub-frames include a smaller luminance sub-frame which has a luminance level lower than the minimum gray scale level of luminance which can be represented by the number of bits in the input video data (page 2, lines 17-24).

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As to claim 6, Otawara (fig. 1) shows a data converter (1), wherein a conversion characteristic of the data converter is that an increase rate of the luminance of the output data in a first gray scale area for the video input data is lower than an increase rate of the luminance of the output data in a second gray scale area, whose is higher luminance than that in the first gray scale area (page 2, lines 17-24).

As to claim 7, method claim 7, corresponds to apparatus 1, therefore, it is analyzed as previously discussed in claim 1 above.

#### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-7 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Matsumoto et al. (U.S. Pat. No. 5,854,540) discloses a method of driving a plasma display panel for generating picture or image with high quality while suppressing luminance to a low level in the display in black.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fritz Alphonse whose telephone number is (703) 308-8534.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Saras, can be reached at (703) 305-9720.

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**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 ( for Technology Center 2600 only )**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding  
should be directed to the Technology Center 2600 Customer Service Office whose telephone  
number is (703) 306-0377.



F. Alphonse

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February 19, 2003



**STEVEN SARAS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600**